

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BRANDON MANFREZ BYRD (BOOKER),

Plaintiff,

vs.

SHERIFF SRGT. DANDRIDGE, et al.,

Defendants.

Civil Action No. 1:20-cv-650

Barrett, J.
Litkovitz, M.J.

**REPORT AND
RECOMMENDATION**

On August 27, 2020, plaintiff was ordered to plaintiff pay the full filing fee of \$400.00 or submit an application and affidavit to proceed *in forma pauperis* within thirty (30) days of the date of this Order. Plaintiff was notified that his complaint shall not be deemed as “filed” in this action until the appropriate filing fee is paid or plaintiff is granted leave to proceed *in forma pauperis*. See *Truitt v. County of Wayne*, 148 F.3d 644, 648 (6th Cir. 1998). Plaintiff was further advised that if he failed to pay the filing fee or to submit an application to proceed *in forma pauperis* within this time limit, the complaint may be dismissed.

To date, more than 30 days later, plaintiff has failed to comply with the Court’s order. Accordingly, it is **RECOMMENDED** that this matter be closed and terminated on the docket of this Court.

IT IS SO ORDERED.

Date: 10/9/2020


Karen L. Litkovitz, Magistrate Judge
United States District Court

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).